

EXHIBIT A

To Opposition To Motion To Continue Discovery And To
Extend The Pretrial Schedule

filed

October 23, 2007

in

Civil Action 04-40219 FDS

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

INNER-TITE CORP.,

Plaintiff

v.

DEWALCH TECHNOLOGIES, INC.,

Defendant.

§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 04-40219 FDS

DEFENDANT'S INITIAL DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant DeWalch Technologies, Inc. makes its Initial Disclosures, as follows:

(A) The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:

| Name/Address/Telephone Number | Subjects of Information |
|--|--|
| Denise DeFranco FOLEY HOAG LLP Seaport World Trade Center West 155 Seaport Boulevard Boston, Massachusetts 02210 (617) 832-1202 | Ms. DeFranco serves as counsel for DeWalch Technologies, Inc. This person has certain non-privileged expert knowledge about the reasonable and necessary attorney's fees and costs incurred by DeWalch Technologies, Inc. relative to this Civil Action. Once Plaintiff discloses its claimed attorney's fees and costs, this person will have certain non-privileged expert knowledge about the reasonableness and necessity, or lack thereof, of the Plaintiff's claimed fees and costs. |
| Binz DeWalch DeWalch Technologies, Inc. 6850 Wynnwood Houston, TX 77008 (713) 861-8993 | Mr. DeWalch is the Chairman & CEO of DeWalch Technologies, Inc. Mr. DeWalch has knowledge which may be relevant to the state of the art, the prior art, non-infringement, invalidity, and commercial and damages issues, including non-infringing substitutes. |
| Mark DeWalch DeWalch Technologies, Inc. 6850 Wynnwood | Mr. DeWalch is the Executive Vice President of DeWalch Technologies, Inc. Mr. DeWalch has knowledge which may be relevant to the |

| | |
|--|---|
| Houston, TX 77008 (713) 861-8993 | state of the art, the prior art, non-infringement, invalidity, commercial and damages issues. |
| John Edmonds VINSON & ELKINS L.L.P. 2300 First City Tower 1001 Fannin Street Houston, TX 77002-6760 713-758-2222 | Mr. Edmonds serves as counsel for DeWalch Technologies, Inc. This person has certain non-privileged expert knowledge about the reasonable and necessary attorney's fees and costs incurred by DeWalch Technologies, Inc. relative to this Civil Action. Once Plaintiff discloses its claimed attorney's fees and costs, this person will have certain non-privileged expert knowledge about the reasonableness and necessity, or lack thereof, of the Plaintiff's claimed fees and costs. |
| Maurice Gauthier Richard Stevens Matthew Connors William Hilton Patrick O'Shea Arlene Powers Richard Stevens, Jr. Gauthier & Connors LLP f/k/a Samuels, Gauthier & Stevens 225 Franklin Street, Suite 3300 Boston, Massachusetts 02110 (617) 426-9180 | These attorneys were granted power of attorney to prosecute the application which ripened into the patent in suit. One or more of these attorneys, primarily Maurice Gauthier, is understood to be the attorney who prosecuted the patent in suit. Such person or persons are believed to have knowledge concerning the prosecution of the patent in suit, prior art and validity issues, and estoppel and enforceability issues. |
| Ricardo Herrero-Velarde DeWalch Technologies, Inc. 6850 Wynnwood Houston, TX 77008 (713) 861-8993 | Mr. Herrero-Velarde is involved in the sales of DeWalch Technologies, Inc. This person has knowledge which may be relevant to sales, commercial and damages issues, including non-infringing substitutes. |
| Ivan Canga DeWalch Technologies, Inc. 6850 Wynnwood Houston, TX 77008 (713) 861-8993 | Mr. Canga is the General Manager of DeWalch Technologies, Inc. This person has knowledge which may be relevant to the state of the art, the prior art, non-infringement, invalidity, sales and commercial and damages issues, including non-infringing substitutes. |
| Peter Mims VINSON & ELKINS L.L.P. 2300 First City Tower 1001 Fannin Street Houston, TX 77002-6760 713-758-2222 | Mr. Mims serves as counsel for DeWalch Technologies, Inc. This person has certain non-privileged expert knowledge about the reasonable and necessary attorney's fees and costs incurred by DeWalch Technologies, Inc. relative to this Civil Action. Once Plaintiff discloses its claimed attorney's fees and costs, this person will have certain non-privileged expert knowledge about the reasonableness and necessity, or lack thereof, of the Plaintiff's claimed fees and costs. |
| Robert Rafferty | Mr. Rafferty is listed as the inventor of the |

| | |
|---|--|
| 9 Prouty Lane Rutland, MA 01543 (508) 886-2358 | patent in suit. Upon information and belief, this person may have knowledge concerning the prior art, invalidity and unenforceability issues, and the prosecution of the patent in suit. |
| Aubrey Riley DeWalch Technologies, Inc. 6850 Wynnwood Houston, TX 77008 (713) 861-8993 | Mr. Riley is involved in the sales of DeWalch Technologies, Inc. This person has knowledge which may be relevant to sales, commercial and damages issues, including non-infringing substitutes. |
| Nathan Stellman DeWalch Technologies, Inc. 6850 Wynnwood Houston, TX 77008 (713) 861-8993 | Mr. Stellman is involved in the sales of DeWalch Technologies, Inc. This person has knowledge which may be relevant to sales, commercial and damages issues, including non-infringing substitutes. |
| John Stachowiak DeWalch Technologies, Inc. 6850 Wynnwood Houston, TX 77008 (713) 861-8993 | Mr. Stachowiak is involved in engineering at DeWalch Technologies, Inc. This person has knowledge which may be relevant to the state of the art, the prior art, non-infringement, invalidity, commercial and damages issues, including non-infringing substitutes. |
| Corporate Representative Highfield Manufacturing Co. 380 Mountain Grove Street Bridgeport, Conn. 06605 (203) 384-2281 | Upon information and belief, persons affiliated with this company have knowledge concerning the state of the art, commercial and damages issues, including non-infringing substitutes. |
| Corporate Representative E.J. Brooks Co. 8 Microlab Road Livingston, NJ 07039 (800) 458-7325 | Upon information and belief, persons affiliated with this company have knowledge concerning the state of the art, commercial and damages issues, including non-infringing substitutes. |
| Corporate Representative McGard, Inc. 3875 California Road, Orchard Park, NY 14127-4198 (716) 662-8980 | Upon information and belief, persons affiliated with this company have knowledge concerning the state of the art, commercial and damages issues, including non-infringing substitutes. |

Without prejudice, for purposes of at least cross-examination DeWalch Technologies incorporates by reference, as if fully set forth herein, the witness names and information disclosed by the Plaintiff. DeWalch Technologies reserves the right to elicit testimony or evidence from any such witnesses listed by any parties to this litigation.

To the extent that names and information concerning witnesses are disclosed during the course of discovery in this litigation, for example in connection with interrogatory responses, DeWalch Technologies hereby incorporates such names and information herein.

(B) A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment:

Documents pertaining to the prosecution history of the patent in suit and unenforceability/estoppel are located at Vinson & Elkins, LLP, 1001 Fannin St., Suite 2300, Houston, Texas 77002.

Documents pertaining to the state of the art, prior art and invalidity are located at DeWalch Technologies, Inc., 6850 Wynnwood, Houston, Texas 77008, and at Vinson & Elkins, LLP, 1001 Fannin St., Suite 2300, Houston, Texas 77002.

Documents pertaining to the making, using, selling and offering for sale of the accused apparatus are located at DeWalch Technologies, Inc., 6850 Wynnwood, Houston, Texas 77008.

Documents pertaining to damages issues, including the lack thereof, are located at DeWalch Technologies, Inc., 6850 Wynnwood, Houston, Texas 77008.

Redacted attorney's fee invoices and other papers related to the reasonable and necessary attorney's fees incurred by DeWalch Technologies, Inc. are in the possession of Vinson & Elkins, LLP, 1001 Fannin St., Suite 2300, Houston, Texas 77002.

(C) A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

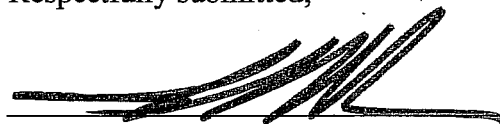
DeWalch Technologies, Inc. states that presently the only damages it seeks against Plaintiff are DeWalch Technologies, Inc.'s attorney's fees and costs. DeWalch Technologies is presently unable to compute these fees and costs, as the majority of such have not accrued. Documents relevant to such fees and costs, including without limitation copies of redacted attorney's fee invoices, will be produced or made available upon request and in accordance with the Court's Rules and Orders.

(D) For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

None known at this time.

Defendant reserves the right to amend or supplement these Initial Disclosures, pursuant to the Federal Rules of Civil Procedure.

Respectfully submitted,



Peter E. Mims
Texas Bar No. 14173275 – Admitted pro hac vice
John J. Edmonds
Texas Bar No. 00789758 -- Admitted pro hac vice
David K. Wooten
Texas Bar No. 24033477 – Admitted pro hac vice
VINSON & ELKINS, L.L.P.
2300 First City Tower
1001 Fannin Street
Houston, TX 77002-6760

Phone: 713-758-2732
Facsimile: 713-615-5703

Denise W. DeFranco
BBO 558859
FOLEY HOAG LLP
Seaport World Trade Center West
155 Seaport Boulevard
Boston, Massachusetts 02210-2600
617.832.1202 Telephone
617.832.7000 Facsimile

ATTORNEYS FOR DEFENDANT DEWALCH
TECHNOLOGIES, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document has been duly served pursuant to the Rules of Court and Federal Rules of Civil Procedure upon counsel of record as follows:

Mr. Maurice E. Gauthier
Gauthier & Connors LLP
225 Franklin Street, Suite 3300
Boston, Massachusetts 02110
(by CMP RR)

Denise W. DeFranco
BBO 558859
FOLEY HOAG LLP
Seaport World Trade Center West
155 Seaport Boulevard
Boston, Massachusetts 02210
(by US mail)

on this the 11th day of March, 2005.



John J. Edmonds

2127402_1.DOC